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OFFICE OF PETITIONS

Docket No.: M4065.0439/P439

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Joseph E. Geusic et al.

Application No.: 09/855,532

Confirmation No.: 9772

Filed: May 16, 2001

Art Unit: 2828

For: METHOD OF FORMING MIRRORS BY
SURFACE TRANSFORMATION OF EMPTY
SPACES IN SOLID STATE MATERIALS
AND STRUCTURES THEREON (AS
AMENDED)

Examiner: A. Rodriguez

PETITION TO WITHDRAW APPLICATION FROM
ISSUE PURSUANT TO 37 CFR 1.313(c)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on November 1, 2005.

Petitioner respectfully petitions that the above-identified application be withdrawn from issue in order to permit consideration of a submission under 37 CFR 1.114 (Request for Continued Examination with a submission of an IDS) a copy of which is enclosed.

03/10/2006 CRHLOK 00000004 09855532

01 FC:1464

130.00 0P

DSMDB.2053111.1

Application No.: 09/855,532

Docket No.: M4065.0439/P439

Please charge our Deposit Account No. 04-1073 in the amount of \$920.00 covering the fee set forth in 37 CFR 1.17(h) or (i). The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0439/439.

Dated: March 9, 2006

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Gabriela I. Coman

Registration No.: 50,515

DICKSTEIN SHAPIRO MORIN &
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Attorneys for Applicant

MAR 08 2006

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PTO/SB/17 (12-04/2)

Approved for use through 7/31/2006, OMB 0651-0032
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| | | | |
|---|--|--|--|
| Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005 | | Complete if Known Application Number 09/855,532-Conf. #9772 Filing Date May 16, 2001 First Named Inventor Joseph E. Geusic Examiner Name A. Rodriguez Art Unit 2828 Attorney Docket No. M4065.0439/P439 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | | |
| TOTAL AMOUNT OF PAYMENT (\$) 920.00 | | | |

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☐ Deposit Account Deposit Account Number: 04-1073 Deposit Account Name: Dickstein Shapiro Morin & Oshinsky LLP
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| | | | | | | |
|----------------------|---------------------|-----------------|----------------------|----------------------------------|-----------------|----------------------|
| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| 81 | - 81 = | x | = | | | |
| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | | | |
| 5 | - 5 = | x | = | | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | /50 | (round up to a whole number) x | = | |

4. OTHER FEE(S)

| | Fees Paid (\$) |
|---|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | |
| Other (e.g., late filing surcharge): 1801 Request for continued examination (RCE) (see 37 ... | 790.00 |
| 8027 Handling fee for withdrawal from issue | 130.00 |

| | | | |
|---------------------|---|-----------------------------------|----------------|
| SUBMITTED BY | | | |
| Signature |  | Registration No. (Attorney/Agent) | 28,371 |
| Name (Print/Type) | Thomas J. D'Amico | Telephone | (202) 828-2232 |
| | | Date | March 9, 2006 |

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PTO/SB/97 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031

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Application No. (if known): 10/349,923

Attorney Docket No.: A8319.0044/P044-A

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on March 9, 2006
Date



Signature

Thomas J. D'Amico

Typed or printed name of person signing Certificate

28,371

Registration Number, if applicable

(202) 828-2232

Telephone Number

Attached for filing please find:

1. Form PTO 2038 \$920.00
2. Fee Transmittal
3. Petition to Withdraw Application from Issue
4. Request for Continued Examination
5. Information Disclosure Statement
6. PTO SB/08

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FAX TRANSMISSION

OFFICE OF PETITIONS

DATE: March 9, 2006

PTO IDENTIFIER: Application Number 09/855,532 Conf#9772
Patent Number

Inventor: Joseph E. Geusic et al.

MESSAGE TO: US Patent and Trademark Office, Office of Petitions

FAX NUMBER: 571-273-0025

FROM: DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

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PHONE: (202) 828-2232

Attorney Dkt. #: M4065.0439/P439

PAGES (Including Cover Sheet): 11

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